



STATE OF CONNECTICUT

STATE DEPARTMENT OF EDUCATION



Connecticut General Assembly Education Committee Testimony of Commissioner Charlene Russell-Tucker March 4, 2022

Good morning Senator McCrory, Representative Sanchez, Senator Berthel, Representative McCarty and members of the Education Committee. I am Charlene Russell-Tucker, Commissioner of the Connecticut Department of Education (Department), and I am pleased to have an opportunity to testify before you today regarding a series of important education-related proposals on your agenda.

S.B. No. 229 (Raised) An Act Concerning the Charter School Approval Process

The Department has been working with the Office of Policy and Management over the last year to create a process which does not put the State Board of Education in the position of approving a new and/or expanded school without a commitment of funding over the coming years as it grows to full enrollment. In the past, this has created a false sense of expectation by the school and potential families. If the Legislature chooses to create this new non-lapsing account, as drafted, we do not believe this bill ensures the legislative funding commitment to the charter school going forward beyond the first fiscal year, which is problematic. Additionally, this proposal eliminates the role of the Governor in the budget decision process. As written, this proposal allows the Department to commit the state to a new, long-term funding requirement without following the normal budget process. Depending on the grade configuration, and enrollment of the school, the cost to the state could range from \$3 million to \$13 million annually.

S.B. No. 226 (Raised) An Act Implementing the Recommendations of the Department of Education

We would like to thank the Chairs for raising this bill containing the Department's legislative recommendations for the session. The first 3 sections pertain to teacher certification and were introduced for the purposes of extending the professional educator certificate from 5 years to 10 years and facilitating a smoother renewal cycle for educator certification that allows educators in good standing to easily maintain achieved certification levels.

Sections 4 & 5 – Extends the deadline by which the Department must create a K-8 model curriculum. Curricula development is a multi-step, iterative process that requires stakeholder feedback and participation for each step of the process. To honor the process and create curricula that is valued and reflects the diversity of our learners, the Department requests an extension of the January 1, 2023, deadline to January 1, 2024. This extension will ensure the Department develops a statewide curriculum that will be a model for the state and nation. This will allow for persons and organizations with subject matter expertise to have the time they deserve to have their voices heard and to fully participate in the development of curricula. Content areas we are required to include in the curriculum are Native American studies, Asian American and Pacific Islander studies, lesbian, gay, bisexual, transgender, queer and other sexual orientations and gender identities studies, climate change, personal financial management and financial literacy, the military service and experience of American veterans, civics and citizenship, including instruction in digital citizenship and media literacy that provides students with the knowledge and skills necessary to safely, ethically, responsibly and effectively use digital technologies to create and consume digital content, communicate with others and participate in social and civic activities, (I) the principles of social-emotional learning, and racism.

Sections 6 & 7 – Address a school’s ability to participate in the National School Lunch and School Breakfast Programs. This school year the USDA has shifted to the summer food service program model of meal program implementation in order to serve free meals to all students regardless of eligibility. Therefore, based on the specific language currently in these statutes, schools would be ineligible to receive these grant funds without the two changes. These funds support school breakfast programs and ensure healthy options for all students. We would ask for the addition of the Technical Education and Career System, the governing authorities of a state charter schools, the interdistrict magnet schools and endowed academies starting in line 187 after local and regional boards of education.

H.B. No. 5280 (Raised) An Act Concerning the Provision of Bilingual Education in Connecticut

The Department would be supportive of an increase in funding for the Bilingual grant program as we understand that this is an area of growing need for districts. However, the necessary funds are not included in the current FY 2023 appropriation or in the Governor's midterm adjustments. While not specifically required to spend the funds on programming for bilingual education, the changes made to the ECS formula last session included an increase in the weight for English Language Learners, demonstrating the state’s commitment to supporting students from non-English speaking backgrounds.

The bill also establishes a non-lapsing grant meant to support the development of language immersion programs. Funding for this grant is not in the enacted FY 2023 budget.

Between these two grants the bill proposes over \$3.4 million in unbudgeted, new spending.

S.B. No. 227 (Raised) An Act Concerning Magnet School Program Funding

The Department is supportive in concept of periodic increases in the per pupil grants for choice programs. However, The Department is not able to support this proposal which would increase the per pupil grants for all magnet schools, both host and RESC operated, by 8%. , Further, there is not sufficient funding in the magnet account to cover the estimated \$21 million cost of this change in policy.

H.B. No. 5282 (Raised) An Act Concerning the Inclusion of Asian American and Pacific Islander Studies in The Public School Curriculum and Prohibiting the Disaggregation of Student Data by Ethnic Subgroups in the Public School Information System

Sections 1 & 2 - Asian American and Pacific Islander studies was required to be included in the K-8 model curriculum the Department was tasked with creating under section 374 of PA 12-2 from the June Special Session. Therefore, we believe this requirement is redundant.

Section 3 – Prohibits the disaggregation of student data by ethnic subgroups in the public school information system. Disaggregation of student data by racial and ethnic groups is required by federal law and in federal reporting requirements. Additionally, several state statutes require the use and/or reporting of data by racial and ethnic groups. These data are collected uniformly statewide.

S.B. No. 231 (Raised) An Act Concerning the State Education Resource Center

The State Education Resource Center (SERC) is established statutorily to assist the State Board of Education in the provision of programs and activities that will promote educational equity and excellence. As such SERC is an important partner for the Department in serving the needs of districts and students statewide. The majority of SERC's budget is currently supported through various federal and state funding

streams that the Department receives. With that said, it is important to understand the funding that the Department currently provides to SERC is project specific based on the statutory requirements of each funding stream. SERC is allowed through a memorandum of understanding with the Department to receive funds for indirect costs to support their operational structure. This legislation as proposed would require the Department to fund SERC in a broader way to support their work beyond the specific identified projects. While enthusiastic and supportive of the additional funding for SERC, the Department does not have sufficient appropriations to do this. Funds would need to be appropriated by the legislature for this purpose, and such funds were not included in the current FY 2023 appropriation or in the Governor's midterm adjustments.

H.B. No. 5283 (Raised) An Act Concerning the Education Cost Sharing Grant Formula and the Funding of Other Education Programs

This bill is a modified version of SB 948 from the 2021 legislative session on which the Office of Fiscal Analysis (OFA) conducted an independent analysis of the potential impact of the bill. Some of the changes made to the original bill will delay the rollout of the financial impact of approximately \$376 million demonstrated in OFA's analysis, however, we have not had sufficient time to run multi-year financial projections. In the long term, the fiscal impact of this bill appears to be of similar or greater magnitude to that of SB 948. In early January, the Department provided feedback on OFA's analysis some of which is still pertinent to Raised Bill #5283 and is provided below along with additional comments on the bill.

Enrollment Counts: ECS is the state's main education funding mechanism. Student count is a central component in determining a district's ECS entitlement. Counting a student as a resident of the district acknowledges the home districts financial responsibility for educating the student, hence a district's ability to claim that student for purposes of the ECS calculation. The proposal modifies which students attending choice programs are counted in the determination of their home district's ECS entitlement. Students will be counted as follows:

- a. Charter school students would continue not being counted in their home district's ECS resident student count.
- b. Open Choice students would no longer contribute 0.5 credit to the home district and receiving district's ECS resident student count. They would be removed from the resident student count completely.
- c. Students attending Magnet schools and Agricultural Science and Technology Education (ASTE) programs would continue to remain in their home district's ECS resident student count.

Keeping students attending magnet schools and ASTE programs in a home districts' ECS count continues a longstanding argument that the formula is inequitable, (i.e., the state is paying for some students twice.) The proposal not only eliminates tuition payments between districts and choice programs, but it also provides significant additional funding to the choice programs to make up for this loss of revenue. The concept being the state pays the district/program where the student is being educated. This would eliminate the home district's financial responsibility for educating students in choice programs, which as mentioned previously is the basis for inclusion in ECS student counts.

Tuition: Currently ASTE programs, RESC operated magnet programs, and certain district operated magnet programs, charge tuition to a student's home district to assist with education costs not covered by the current state grant. The proposed formula would eliminate the current system of tuition payments between a student's home district and the choice program they are attending for regular education related costs. To address the critical impact of losing that revenue source on the continued financial viability of the impacted

choice programs it proposes shifting those costs to the state through a significant increase in their per pupil grant amounts. The increased state subsidy covers the tuition loss for many of the choice programs and importantly offers financial relief to the home districts that send students to these programs.

However, under the original proposal some choice programs would experience an immediate loss in revenue. Raised Bill # 5283 attempts to resolve this issue by requiring the state to appropriate sufficient funding in perpetuity to compensate for the difference in revenue between the new funding model and the old tuition charging model, increasing the fiscal impact of this bill.

Inflation Adjustment for non-district operated Interdistrict Magnet Schools: With exception of the Open Choice program, it is anticipated that district operated Interdistrict Magnet Schools, Charter School and ASTE programs, those that charged tuition and those that did not, will over time receive insufficient revenue through the new funding mechanism, thereby impacting their sustainability. Under the proposed funding mechanism, the estimated per pupil grant a choice program will receive for a student would be a range depending on the community the student was coming from. That amount is calculated on an annual basis and will fluctuate based on current data. The per pupil grant rate would be below the statewide average expenditures per pupil. The addition of federal funding to the state per pupil grant, for an apples-to-apples comparison with Net Current Expenditures per Pupil (NCEP), does not fully mitigate the funding differential. In order for these programs to remain financially and programmatically viable, the legislature would need to adjust the foundation amount on a regular basis to keep pace with annual increases in costs. For these programs such an adjustment is not anticipated in the current formula.

Creating further inequity, the bill proposes an annual per pupil adjustment for RESC-operated Interdistrict Magnet Schools that is based on either the percent increase in personal income or the percent increase in inflation whichever is greater. A similar guaranteed periodic, perpetual increase is not provided for any other provider.

Other Considerations: There are other considerations that will need to be addressed if this proposal moves forward. While not all inclusive, below are some additional considerations.

The concept of “full-funding” was based on a foundation level that was held static for the entire time of the phase in. The proposal does not address, except with RESC-operated Interdistrict magnet schools, how the foundation should be adjusted over time to better reflect the actual cost of educating students which is arguably the most critical component from a district standpoint.

We have a general concern with the impact of shifting demographics on the calculation as it relates to districts’/programs’ ability to budget and the Department’s ability to regularly update the calculation based on those shifts. If the proposal were to move forward the Department would be willing to work with the legislature on potential modifications to language.

Section 11 – What is described in Section 11 is largely a description of the work of the Turnaround Office as outlined in the approved federal [Connecticut ESSA State Plan](#) (pages 30 -32) with the data prepared by the Performance Office the Turnaround Office provides tiered supports to Alliance Districts, Opportunity Districts, Commissioner Network Schools, SIG schools and all turnaround and focus (category 4 and 5 schools).

- All tiered supports are described on pages 30 -32 - CONNECTICUT’S MONITORING, CONTINUOUS IMPROVEMENT, AND DIFFERENTIATED SUPPORT PLAN
- State Support and Improvement Plan for Low-performing Schools can be found on pages 51 - 56

- Districts are monitored three times a year through intentional process and analyze data for areas of success, growth and targeted improvement.
- Each district has a designated education consultant to provide support, technical assistance and targeted interventions, including fiscal spenddown monitoring and site visits.

These points of concern aside, we stand willing to work with the legislature on this proposal moving forward.

S.B. No. 232 (Raised) An Act Concerning the Excess Cost Grant for Special Education

The Department is supportive of the concept of lowering the per pupil threshold for districts to receive reimbursement for high-cost special education services. Adding a metric for ability to pay is a concept that merits further consideration. However, the Excess Cost account is not fully funded at the current threshold of 4.5x which means districts are not fully reimbursed for the costs that currently exceed the threshold. The proposal maintains the cap on the appropriation, essentially redistributing the current appropriation based on community wealth. Districts are nearing the close of the budget development and approval cycle for FY 2023, and will have already anticipated their estimated reimbursement for next year as part of that process. This proposal will potentially create a shortfall for districts. We would welcome the opportunity to review the funding formula for Excess Cost but any changes in this critical revenue stream for districts should provide an implementation timeline long enough for them to adjust local budgets to accommodate a shift in funding.

H.B. No. 5284 (Raised) An Act Concerning the Funding of Unified School District #1

The bill proposes a study of how Unified School District 1, which is operated by the Department of Correction (DOC), is funded as compared to other school districts. The Department is supportive of this study, however after conferring with DOC, we would recommend the study be directed by them with our Department providing any necessary data.

S.B. No. 228 (Raised) An Act Concerning Opportunities for Students to Participate in Pathways Programs and the Provision of Information About the Availability of Technical Education and Career Schools and Regional Agricultural Science and Technology Education Centers

The Department offers a wide array of designated supports and initiatives to assist local and regional boards of education. Please note concerns below.

Section 1 – Currently, the Department partners with CT-DOL to support and expand work-based learning opportunities for students (e.g., pre-apprenticeship programs, Unpaid Experiential Learning Program, Learns and Works, etc.). We already provide assistance to local and regional boards of education to enhance existing business/industry partnerships and/or establish new partnerships (e.g., Building Tomorrow's Workforce, CT Pathways System Institute, Institute for Real-world Education and Curriculum Advancement, etc.). The Department strategically leverages the Next Generation Accountability System Indicators 5 and 6 as well as Federal Perkins V funding and accountability indicators to incentivize local and regional boards of education to drive the creation of pathways that include work-based learning, postsecondary credentials, and industry-recognized opportunities.

Section 2 – The Department currently develops and posts on our dedicated Webpages best practices to assist local and regional boards of education in creating, expanding, and/or supporting student pathways.

Additionally, new guidance is being drafted to guide districts on an expanded student success plan experience focusing on stakeholder engagement and flexible, personalized pathway opportunities.

Section 3 – Given the Department’s current staffing capacity, we would need additional funding for full-time employees to review all existing state laws and regulations that may limit the ability of a board of education to build pathway program partnerships with local business and industry.

Section 4 – The Department supports the revisions in this Section, and would suggest that the words “school counselors” are replaced with “schools/districts” as not all schools have school counselors. We would, also, request that line 64 is removed as this is stated in lines 56 through 57 or combine lines 52–64 as repetitive. A suggestion for the combining of lines 52–64 is found below for consideration:

Each local and regional board of education shall require schools/districts to provide information to students and families within such board's jurisdiction of the availability of opportunities to technical education and career schools, regional agricultural science and technology education centers, interdistrict magnet schools, charter schools, alternative high schools and interdistrict student attendance programs and publish such information on the board's Internet web site.

H.B. No. 5285 (Raised) An Act Concerning the Public School Curriculum

Sections 1 - 3 - Given the performance expectations tested by the statewide Next Generation Science Standards assessment, districts are already committed to planning instruction and teaching climate change content. The Department’s Academic Office has already identified, and developed model curricula focused on climate change through the K-8 Model Curricula for grades 6-8, which will be formally rolled out in the Spring. We are finalizing the model units for grades K-5 to be released early this summer.

Section 4 – We do not believe this section is necessary, and would request additional detail regarding the Personal Finance Management Pilot Program, specifically the scope of this project and what the partnership entails. Our Academic Office currently partners with Next Generation Personal Finance (NGPF) to make their model curricula available to all CT schools for grades 6-12 and we are currently developing K-5 model units for districts. All personal finance model curricula will be made available through the GoOpenCT open education resources portal with professional learning at no cost to districts. Many districts have established a Personal Finance course as a local graduation requirement and districts are offering multiple levels of Personal Finance (e.g., College Prep, Honors, and Dual Credit.) Districts are also offering Personal Finance online as another option.

Section 5 – Is duplicative of work already being performed by the Department. An initial task of the K-8 Social Studies Model Curricula work is to revise the existing Social Studies frameworks to be adopted as Social Studies Standards. The review we are currently engaged in with the Democracy Center is identifying gaps and specific areas where additional standards can be included. Specifically, we are looking carefully at the teaching of civics. As we create new civics standards (for all grades), we will be meeting with civics professors, secondary school civics teachers, and elementary school teachers to create meaningful social studies standards all grades. We will also be meeting with organizations with an interest in civic education to receive their reaction/feedback to our work. The Old State House and the Secretary of State’s Office will be deeply involved in this work. In short, we do not believe this section is necessary as we will already be doing a deep dive into the best practices of civics education this year, and our goal is to develop civics standard that are student-centered and engaging. We do not believe having a Civics Task Force next year, after all of this work is done, would be productive.

H.B. No. 5286 (Raised) An Act Concerning the Development of a New Preservice Performance Assessment for Teacher Preparation Programs

The Department is in opposition to this proposal for the reasons outlined below. Having said that, we would like to note that we are eager to work with the Chairs and members of the Committee to address some of the concerns we have heard with regard to edTPA.

Section 1 – requires the Department to discontinue the statewide implementation of edTPA. edTPA, a pre-service performance-based portfolio assessment aligned to state and national content-specific teaching standards, requires candidates to demonstrate their pedagogical knowledge and skills in the areas of planning, instruction, and student assessment during student teaching. edTPA helps create equitable access to learner ready teachers for all Connecticut students, regardless of which EPP program candidates attend. It fulfills the expectations of Connecticut Special Act 12-3 and Public Act 15-243, and is an integral component of the Educator Preparation Program (EPP) approval process, which involves accreditation by the Council for the Accreditation of Educator Preparation (CAEP). It also plays a role in the SBE oversight of EPP programs. Furthermore, the implementation of the Education Preparation Advisory Council’s (EPAC) recommendations, including the adoption of edTPA, align to the vision that all teachers are learner-ready on day one of entering the classroom as a result of high-quality preparation that provides a solid foundation in the Connecticut Common Core of Teaching and ensures demonstration of deep content knowledge and content pedagogy.

Section 2 – requires the Commissioner of Education, the president of the Connecticut State Colleges and Universities and the Dean of the Neag School of Education at The University of Connecticut to jointly develop a preservice performance assessment to be implemented in teacher preparation no later than January 1, 2024, and **Section 3**, requires EPPs to administer it. It is unreasonable to assume that a Connecticut designed preservice performance assessment, as outlined Section 2, can be designed, implemented, and adopted by Connecticut EPPs by July 1, 2024. Additionally, Section 2 leaves out critical EPP partners including private Institutes of Higher Education and Alternate Route programs as it only identifies CSCU and UConn. The Department, in partnership with Connecticut EPPs, has invested a significant amount of time and resources to ensure the successful implementation of edTPA. Since 2016, edTPA has been piloted by several EPPs during two school years: 2016-17 and 2017-18. At the conclusion of the pilot phase of edTPA implementation in Connecticut, a formal evaluation was conducted by a third-party research firm, RTI International. Findings of the evaluation were made available to the public. Additionally, the Department’s Talent Office has conducted monthly conference calls with Connecticut EPP edTPA coordinators, who serve as liaisons between their EPPs and the Department, providing a forum for Connecticut EPP edTPA coordinators to receive edTPA-related updates; ask questions and receive clarification; problem solve collaboratively around implementation challenges and successes; and share best practices. Leading up to full implementation of edTPA in fall 2019, Stanford Center for Assessment, Learning & Equity (SCALE) and/or Pearson have collaborated with the CSDE to provide 22 professional development opportunities designed to support the adoption and implementation of edTPA in Connecticut for EPP faculty and other constituency groups. We would again like to note that we are eager to work with the Chairs and members of the Committee to address some of the concerns we have heard with regard to edTPA.

H.B. No. 5287 (Raised) An Act Concerning Remote Learning in Connecticut

The Department cannot support this proposal which advances the date that the plan for the statewide remote learning school is due from July 1, 2023, to January 1, 2023, and would permit local and regional boards of education to authorize remote learning to students in grades kindergarten to twelve.

Specialized analyses of state summative assessment data from 2020-21 revealed that in all grades and across most student groups, those who learned in-person during the 2020- 21 school year lost the least ground academically. Those who learned in hybrid or remote models showed substantially weaker achievement and growth during the pandemic. While academic impacts are seen in all subjects, the observed differences are largest in mathematics. This clearly indicates that students learn better when they are in in-person settings and any guidance regarding the utilization of remote learning, especially for our youngest learners, should be considered very thoroughly and thoughtfully before its release.

The change in date is also not reasonable given the steps outlined in the process to develop a plan, draft request for proposals and make legislative recommendations. The initial research gathered by the Remote Learning Commission has established that the design and development of statewide remote learning school requires thoughtful consideration across multiple areas. The timeline for the presentation and approval process does not align and cannot be accomplished in 8 months from the passing of this bill (using June as a starting point).

With regard to the shift in grade spans, the Remote Learning Standards that have been developed and released are applicable only for Grades 9 through 12. They are not automatically applicable to all other grades. To determine the impact of the implementation of the newly design standards for remote learning, districts and the Department need time to collect new data and research each model being implemented across the state in the fall of 2022. The Department plans to collect data by district, monitor each model by district, and use information learned to refine the standards and support the parallel tasks of the Remote Learning Commission to develop a plan for a statewide remote learning school. This proposal would demand the creation of a separate set of standards for K-8. Data to date points to the fact that students who learned remotely reflected higher rates of chronic absence and substantially greater academic learning loss than those who studied in-person. For these reasons, we cannot support this proposal.

H.R. No. 4 & S.R. No. 4 Resolutions Approving the Settlement Agreement in *Sheff V. O'Neill*

These resolutions represent the end to costly and lengthy litigation that has spanned decades in a historic, landmark lawsuit which was filed over thirty-three (33) years ago. These resolutions are the result of the latest rounds of negotiations among the State, the Hartford Public Schools, and the Plaintiff attorneys in the *Sheff v. O'Neill* case which took place over the last 2 years.

Much has changed since 1989 when the *Sheff* case was filed. Thanks in part to this lawsuit, tens of thousands of Connecticut school children have benefitted from quality education in integrated environments alongside other students whom they otherwise would not have learned with, grown with, played with, and possibly even never met. We know the real-world benefits of an integrated educational experience and, now more than ever, students in Hartford – as well as in surrounding, suburban districts -- will be able to experience learning in, and develop an appreciation for, multicultural, economically diverse settings. *Sheff* work has been the impetus for expanding Open Choice and building interdistrict magnet schools that have brought together Connecticut students from different communities to learn in an environment with different perspectives and backgrounds and help shape a future workforce and community with the ability to think critically and solve problems through a global lens. The building of interdistrict magnet schools, which have specialized themes and corresponding curricula, have shaped future professionals in the workforce while tapping into the interests and passions of our students to bring learning to life and inspire excellence. Open Choice, magnets, technical schools, and other choice opportunities have evolved and grown over time, and continue to do so, as times change to meet the needs of students as they prepare for college, a career and the global world.

Every child is entitled to an equitable educational opportunity. But we still find ourselves in a position where some students are denied access to school choice, which prohibits this important personal growth and learning opportunity. These needs have been addressed in HR4 and SR4, which seek to expand this program over the next ten years to ensure that students who wish to learn in such integrated settings are able to do so. This plan, in part, provides more seats in magnet schools, participating Open Choice schools and technical high schools, retheme magnet schools to provide more attractive and cutting-edge educational emphasis, offers enhanced or new athletic and extra-curricular opportunities at magnet schools which were previously limited to afford a full educational experience for students, and provides supports to ensure that magnet, technical and Open Choice schools are welcoming and supportive for all students.

On the one hand, this is the settlement of a landmark set of litigation and is necessarily defined by the parameters of that litigation. On the other, and far-more important, hand, it is an investment in the children of Connecticut and, as such, an investment in our collective future. I urge you to vote favorably on these resolutions and allow the Department to transition from litigation to implementation.

Thank you again for allowing us to submit testimony. We will be happy to work with you on these proposals moving forward.